

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN

UNITED STATES OF AMERICA, et al.
ex rel. Loyd F. Schmuckley Jr.,

Plaintiffs,

v.

WALGREEN CO.

Defendant.

FILED UNDER SEAL
Civil Action No. 17-C-570

**STIPULATION FOR DISMISSAL AND
REQUEST TO PARTIALLY LIFT THE SEAL**

The United States of America, the State of Wisconsin, and Relator Loyd F. Schmuckley, Jr. (collectively “Plaintiffs”), hereby jointly stipulate pursuant to Federal Rule of Civil Procedure 41(a)(1) that the Complaint in this case should be dismissed. The United States further requests pursuant to the False Claims Act, 31 U.S.C. §3730(b)(2), that the seal be partially lifted in this matter.

The Complaint asserts four counts on behalf the United States and the State of Wisconsin, namely, three counts under the federal False Claims Act and one count under state law. Plaintiffs have entered into a Settlement Agreement with Walgreen Co. that provides for the dismissal of all counts of the Complaint. *See* Exhibit A, Settlement Agreement. As provided by paragraph 21 of the Settlement Agreement, dismissal shall be without prejudice to any claims of the United States or the State of Wisconsin that fall outside the Covered Conduct as defined by the Settlement Agreement.

The United States further requests a partial lifting of the seal so that (1) the Complaint, (2) the United States’ Notice of Election to Intervene, (3) this stipulation and request, and (4) any resulting order(s) from this request may be publically disclosed. Except for those documents, the

United States requests that all other pleadings (including, but not limited to, all requests for extensions and any memoranda in support thereof) remain under seal and not be made public or served upon the defendants. The government provided those filings by law to the Court alone to discuss the content and extent of the United States' investigation for the sole purpose of permitting the Court to evaluate whether the seal and time for making an election to intervene should be extended. Therefore, the United States requests that the seal be maintained on all other pleadings filed in this case.

A proposed order accompanies this request and is being filed herewith for the Court's convenience.

THE UNITED STATES OF AMERICA

MATTHEW D. KRUEGER
United States Attorney

Dated: January 14, 2019

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Dated: January 14, 2019

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RELATOR

DATED: December 12, 2018

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